



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

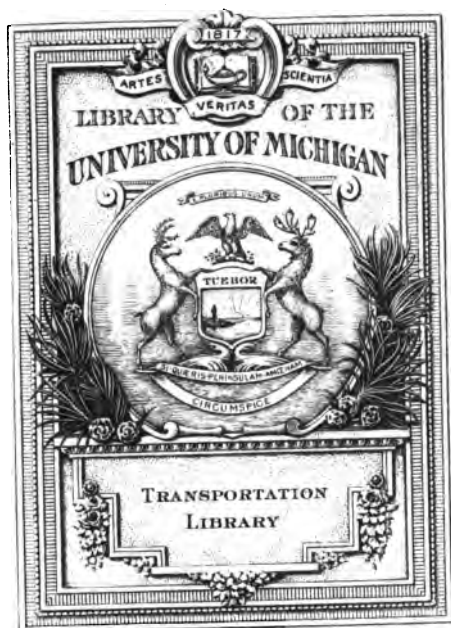
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

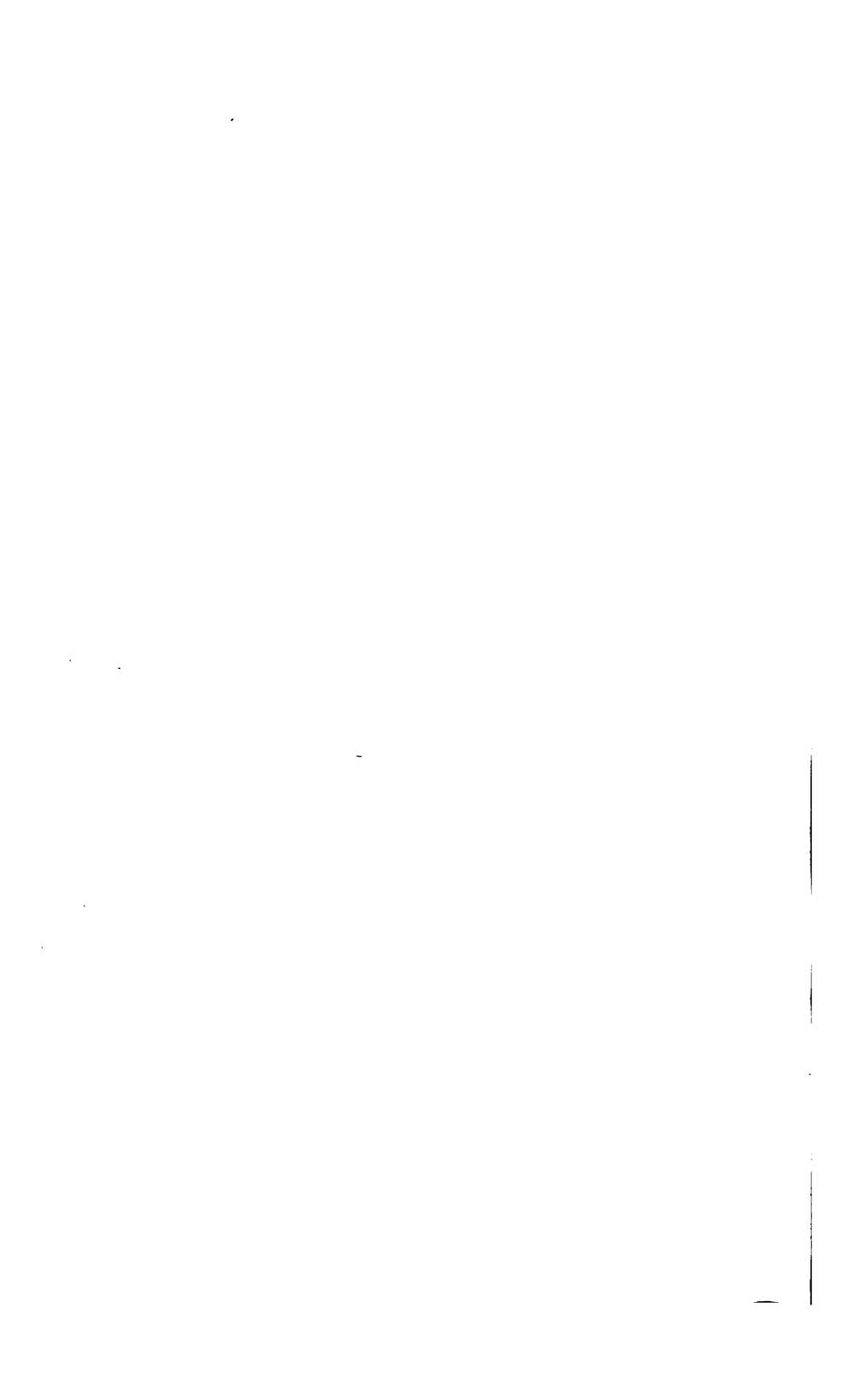
- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>







SPEECH

OF

McKee
MR. McDUFFIE,

ON

INTERNAL IMPROVEMENTS;

WITH A FEW

INTRODUCTORY REMARKS

IN ANSWER TO A PAMPHLET ENTITLED

"CONSOLIDATION."

COLUMBIA:

PRINTED BY D. & J. M. FARST.
1824.

Transportation
Library

HE
204
M14

Alabama
7-22-47

Transportation
Library

REMARKS, &c.

As the period approaches for choosing the electors of President, we have strong indications that the friends of Mr. Crawford, regardless of the known will of the people, will make an effort, as violent, perhaps, as it will be certainly fruitless, to give that gentleman the vote of South-Carolina. Aware that their favorite is exceedingly unpopular, in this State, they do not venture to urge his election by an open, frank and direct course of argument, (with the exception of a very tedious pamphlet, written, it is believed, by a Georgian,) but by artfully concealing their purpose, while they assail every other candidate in such manner as they think best calculated to advance Mr. Crawford.— This is precisely the character of a pamphlet recently published, entitled "Consolidation." Mr. Crawford's name does not once appear in it; and yet it was obviously written to promote his election. This is clear, both from the time of the publication, and from the general conclusion which the author deduces from the tissue of errors in fact, and heresies in principle, of which his book is compounded. At the conclusion of his remarks on Internal Improvement, he says: "Is South-Carolina destined to become a federal State? Do you mean to join the ranks of that party? If you do, so be it. Things must take their course, and the friends of State Rights must be content to remain in their minority. If not, the politics of *Mr. Adams, Mr. Calhoun, and Gen. Jackson*, are not the politics of this State; for these gentlemen supported, to the utmost of their power, a principle and a measure, which from the very moment of party difference, has decidedly characterized the federal party." Here we have the key to the whole pamphlet. Gen. Jackson and Mr. Adams, are the two candidates who stand most prominent in this State. Their prostration would insure the elevation of Mr. Crawford, and hence they are denounced as federalists. And why not Mr. Crawford also? Where is the evidence that he is opposed to internal improvements? Why does the writer gratuitously assume that Mr. Crawford is exempted from the same objection? What has been his conduct on this very subject? Six or seven years ago, a resolution passed the popular branch of Congress, calling upon Mr. Crawford, as Secretary of the Treasury, to make a Report upon a system of Internal Improvements. He shrunk from the responsibility of disclosing his views on the subject, and has not, to this day, complied with the resolution. If he were opposed to the system, he ought to have said so; and the concealment of his opinions, when his

official duty required their disclosure, is more censurable than the many disclosure even of erroneous opinions. The opponents of Internal Improvements, if opposed to the system from *principle* and not from *party views*, should be the first to denounce Mr. Crawford, for concealing his opinion, if they believed it to be in accordance with their own.

If, as he professes, the author in question has long and anxiously marked the progress of our government, he must have known that Mr. Crawford was in favour of a National Bank. Its establishment certainly involved principles of construction as broad, as the making of roads and canals; and the exercise of a power infinitely more dangerous. Moreover, in the early history of parties, and when Mr. Crawford advocated the renewal of the old charter, it was considered a federal measure, which Internal Improvements *never was*, as this author erroneously states. This latter measure originated in the administration of Mr. Jefferson, with the appropriation for the Cumberland Road; and was first proposed as a *system*, by Mr. Calhoun, and carried through the House of Representatives by a large majority of the republicans, including almost every one of the leading men who carried us through the late war. In saying, therefore, that it is "a measure, which from the first moment of party difference, has decidedly characterized the federal party," the writer shows that it is to very little purpose he "has observed the progress of our government" so long and so anxiously. And in denouncing Gen. Jackson and Mr. Adams, as federalists, because they are in favour of Internal Improvements, and exempting Mr. Crawford from the denunciation, who pertinaciously stands mute on this subject, and is notoriously in favour of the National Bank, he furnishes satisfactory evidence that he does write for the sake of what he deems *republican principles*, but to promote the present views of the *radical party*. This writer denounces a majority of the representation of this State in Congress, (and the denunciation happens to fall precisely upon those who are opposed to Mr. Crawford,) as the "advocates of ultra-federalism and consolidation." As their vote upon the "Bill for obtaining the necessary Surveys on the subject of Roads and Canals," is the foundation of this charge, the Speech of Mr. McDuffie, the only one delivered in favour of the measure by a member from this State, is presented to the public. It will be seen that the doctrines of that Speech have been utterly misconceived by this author, and that his refutation applies only to his own misconception. Alluding to the Speech in question, he says, "In the House of Representatives, a broader position was taken, viz. *That Congress had a right to pass any measure conducive to the general welfare.*" And again, "The position he [Mr. McDuffie] assumes is, that Congress may adopt any measure *whatever* that they may deem necessary to the 'common defence and general welfare,' if money be necessary to carry into effect." Now, neither of these positions is to be found in Mr. McDuffie's Speech; but almost the very reverse of them. His positions are, that the terms "common defence and general welfare" not only do not enlarge the powers of the government, but that they *limit* and *define* the power of raising and appropriating money; and that Congress has not *unlimited powers*, but an *unlimited power* to raise and appropriate money, "to promote the common defence and general welfare," if the appropriation of money is the *only power* necessary to accomplish the object. The power to raise and appropriate money is one, and but one, of the enumerated powers of Congress. And he must have a very confused view of the subject, who cannot perceive the difference be-

ween possessing *one* power in an unlimited degree, and possessing *all* powers without limitation. It is *not* contended "that Congress can adopt any measure which money may be necessary to effect," (for that would involve the right of adopting almost every measure,) but that they can appropriate money for any object calculated "to promote the general welfare," if money *alone* can effect it. For example, Congress raise by ~~tax~~ *tax* on one hundred dollars, and appropriate it to purchase a horse for a messenger of either House. The laws raising and appropriating the money begin and consummate the highest exercise of sovereign power. But the purchase of the horse, is not an exercise of any sovereign or political power whatever. The opening of a road or canal through a State *with its consent*, is no more an act of sovereign power than the purchase of a horse. Both are effected by contract; the same way in which an individual citizen with the same means, could effect the same object. It is for acts of this description, not involving the exercise of sovereign power, that Congress have the right to appropriate money, if tending to promote the general welfare of the Union. And this power, in this extent, is *expressly* delegated to that body. This, however, is only one of the clauses which authorize Internal Improvements.

It is objected to this system, that "it contemplates no equitable principle of expending the public money" among the several States. This is founded upon an entire misconception of the works contemplated, and the object for which they are intended. It is not the intention of Congress to improve the roads and canals of the different States, with a view to benefit those States.—Works strictly NATIONAL, such as are necessary to promote the common defence and general welfare of the whole Union, and such only, are embraced in the system. Take, for example, the canal for connecting the waters of the Ohio and Chesapeake. In the event of an invasion on the Atlantic frontier, this would enable the government to command the whole resources of the Western country, whereas at present those resources would be unavailing in such an emergency. In like manner an inland navigation from the Chesapeake Bay to the Savannah River, would increase, in an incalculable degree, the efficiency and cheapness of the defence of the Southern States. The naval power of the enemy having the ascendancy on the coast, no resources either in men, arms, or provisions, could reach this State from her sister States, with the necessary promptness, but by an inland navigation. There is no State, therefore, so much interested in such a work, as South-Carolina. Charleston is the point of the Southern country, that always has invited, and always will invite the first attack of an invading enemy. We cannot expect of the General Government to keep a regular force there, adequate to its defence. The only resource, therefore, is to provide means for pouring in the militia, with a rapidity commensurate with the emergency. Suppose Charleston blockaded in such a year as the present, when this State does not produce grain sufficient for its ordinary consumption—where should we obtain subsistence for the large military force necessary for our defence? The States to the North of us might abound in a surplus, of little value to them, of which we could not avail ourselves, but by a land transportation too slow to be effectual, and too expensive to be tolerated. Without a figure, the inland navigation alluded to, would be the best and the cheapest fortification that could be erected for the defence of the Southern States. This will be one of the principal works embraced in the scheme.

It is a little curious that all the politicians of the same school with the author of "Consolation" profess to be opposed, to a large standing army, and yet oppose both Internal Improvements and Fortifications, the most obvious means of rendering the militia available and efficient, and consequently, of superseding the necessity of a large standing army. The power derived from such improvements, like that of a navy, has this strong and peculiar recommendation : while it affords the best and cheapest defence of our rights, *it can never endanger our liberties.*

The author in question, not content with denouncing as federalists, General Jackson, Mr. Adams, Mr. Calhoun, and the majority of the South-Carolina delegation in Congress, modestly extends the denunciation to Mr. Monroe and the whole republican party. Here are his words. "During the administration of Mr. Monroe, much has passed which the republican party would be glad to approve, if they could !! But the principal feature, and that which has chiefly elicited these observations, is the renewal of the **SYSTEM OF INTERNAL IMPROVEMENT.**" Now this measure was adopted by a vote of 115 to 86 of a republican Congress, and sanctioned by a republican President. Who, then, is this author, who assumes the high prerogative of denouncing, in the name of the republican party, the republican administration of the country ? a denunciations including within its sweep, *Calhoun, Lowndes and Cheves* ; men who will be regarded as the brightest ornaments of South-Carolina, and the strongest pillars of the republican party, as long as the late war shall be remembered, and talents and patriotism shall be regarded as the proper objects of the admiration and gratitude of a free people. "The republican party would be glad to approve !!!" What intolerable arrogance, for an anonymous writer to use such language in reference to the measures adopted by a republican Congress, and a republican President ! Any writer, has a right to condemn any measure of the government, with the utmost freedom. But for a writer, who, for ought that appears, has no grounds to claim any thing, on the score of *authority* merely, to denounce, as *federalists*, the majority of the republican party, and this too, in the name of that party, is certainly a degree of presumption not usually exhibited in the productions of American writers. A republican administration, and a republican Congress, chosen by a republican people, are not, it seems, the true representatives of the republican party !! If Mr. Monroe, Gen. Jackson, Mr. Adams, Mr. Calhoun and a large majority of Congress, are not republicans, who are they of whom this writer speaks, as "the republican party ?" The answer is obvious. He means *Mr. Crawford and the Radical party.* Indeed the main object of his pamphlet is to shew that the republican party are federalists and the Radical party, republicans. This mighty achievement he attempts to accomplish by the agency of erroneous statements and inaccurate definitions. The radical party has sprung into existence, since the election of Mr. Monroe to the Presidency. Mr. Crawford in 1816, made a violent attempt, through the agency of a caucus, to ascend the Presidential Chair "in direct opposition to the popular will." He was defeated, and his unchastened ambition stood rebuked, in the election of Mr. Monroe. For this he has never forgiven Mr. Monroe, and has gradually reared up, in violation of every principle of honor and good faith, a party in Congress, opposed to his administration. If Mr. Crawford was opposed to the principles of Mr. Monroe's administration, he ought to have left, and openly opposed it. His party, having in view

his elevation to the Presidency, as the primary object, have espoused principles and opposed measures, in reference to that end. Their object being to render the administration unpopular, they have opposed its measures, whenever there has been a prospect of advancing their purpose by it. In a word, they have acted as an *opposition party*, and have notoriously embarrassed the administration, by as well concerted efforts, as were ever pursued by the federalists, against Mr. Jefferson or Mr. Madison. Such is the true origin and history of the radical party. To be satisfied, that it was organized, not for the sake of *principle*, but of *personal aggrandizement*, we have only to look at its composition. There was never a more heterogenous compound. In New-England and Delaware it consists almost exclusively of federalists. *Timothy Pickering* and *Harrison G. Otis* are the prominent supporters of Mr. Crawford in Massachusetts. The whole federal party of Rhode-Island, *acting as a party*, with Mr. Hunter at their head, are in his favour. Mr. McLane of Delaware, a distinguished federalist, is one of his principal friends in Congress, and would, no doubt, be one of his cabinet, if he should be elected President. In this State he is supported, as the republican candidate. In the middle States, he is supported as the friend of the tariff; in the Southern States, as a decided opponent of the system. In the Western country and in Maryland, he is supported and toasted as the friend of Internal Improvements; in Virginia, as an advocate of the exploded notions about State rights. In short, his supporters have nothing in common but their attachment to him, and his promotion is their only connecting principle. I am well aware that there are many honorable men who support Mr. Crawford, with a view only to certain political principles which are gratuitously ascribed to him; but the great mass of his supporters, acting as a party, are such as I have described them, a mere *Crawford party*. In their anxiety to promote their primary object, it will be seen that they have manifested but little regard for the first principles of a republican government.— They have endeavoured to give the practice of CAUCUS NOMINATIONS by Congress, an extension, wholly unprecedented, and inevitably tending to destroy the elective character of the Chief Magistracy. When there were two parties, federal and republican, of nearly equal numbers, and each presenting candidates for the Presidency, there was some reason for the republican party consulting among themselves, which of the republican candidates should be supported against the federal candidate. But now that there is *no federal candidate*, upon what pretext can the friends of one republican candidate, *being a small minority of Congress*, claim the right to nominate him, and require the friends of the other republican candidates, *being a large majority*, to submit to the nomination, *as the act of the republican party*. The members of Congress who nominated Mr. Crawford, had no more right to represent the republican party, than the author of “Consolidation;” and yet they insisted that he was the regularly nominated candidate of the republican party, and all true republicans were called upon to respect him, accordingly. His partizans in New-York demanded of all republicans to support him, on pain of being denounced and proscribed as federalists; and this is the true spirit in which the nomination was made. Now it is quite clear that if such a nomination were binding upon the republicans, upon principles either of right or expediency, a *nomination* would be equivalent to an *election*. If the federal party had a candidate, there would be a contest after the nomination. But, there being no federal

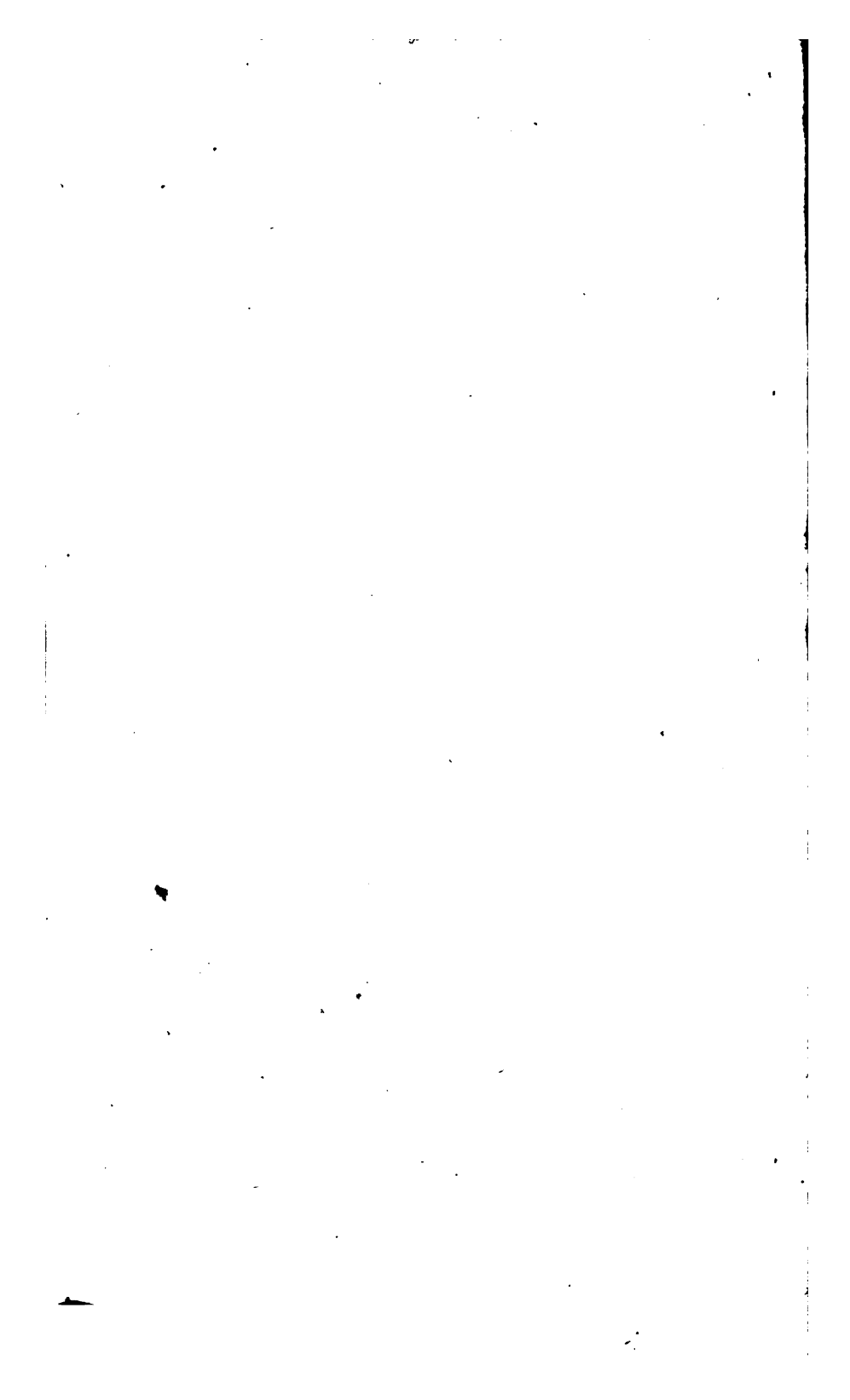
candidate, and all the other *republican* candidates being excluded by the very principle of a caucus nomination, Mr. Crawford would have been without a competitor from the date of the caucus decree of February last, if the friends of the other candidates had not *rebelled* against it. Those who know the tendency of power "to pass from the hands of the many to the hands of the few;" and how soon even the worst usages come to be regarded as laws, cannot fail to perceive in the late caucus at Washington, an attempt to wrest from the people their most sacred rights; and a precedent, which if not openly resisted and denounced by the nation, will be decidedly calculated to change the republican form of our government. And this is a specimen of the political principles of the radical party! It was emphatically a RADICAL CAUCUS, and has naturally arrayed against the candidate of that party all over the Union, the friends of *free elections and the rights of the people*. In the same spirit, the radicals of New-York have defrauded the people out of their right to choose electors of President, in the hope of giving the vote of that State to Mr. Crawford, against the known will of a vast majority of the people. I would, therefore define a radical to be, *an old federalist in a new form, holding the people to be too ignorant to choose a President, and that it is lawful to cheat and defraud them for their own good, upon the ground that they are "THEIR OWN WORST ENEMIES."* With all their professions, such is the radical party, as practically exhibited to us.— "To this complexion, they must come at last."

I will now notice some of the historical statements and political doctrines of the author of "Consolidation." Few well informed men will be disposed to give credit to the accuracy of a narrative, which represents Mr. Madison, Mr. Hamilton, Mr. Jay, Mr. Randolph of Virginia, and the late Charles Pinckney of this State, to have been opposed to the present Constitution. Speaking of the numbers of the "Federalist," written by the former three, he says, "it is ridiculous to cite them as authority for the real views of the prevailing party."— Now I supposed there was not a man in America, even tolerably conversant with the political history of the country, who did not know that the authors of the "Federalist" were "of the prevailing party;" Mr. Madison went into the Virginia Convention, and Mr. Hamilton into that of New-York, and supported the Constitution with all their abilities, against the violent opposition of the party who contended, with this author, for a mere confederacy of *equal* States. The motto of the opponents of the Constitution, at that time, was, "State Rights and the danger of Consolidation;" the very language which expresses the present creed of the writer in question! Indeed any one who should read his pamphlet, without adverting to the circumstances which fix its position in our historical chronology, would suppose it was written under the "CONFEDERATION;" for he seems entirely ignorant of the change produced by the "Constitution" of 1787. A man who will contend that our government is a confederacy of independent States, whose "*independent sovereignty* was never in *any degree renounced*," and that it may be "controlled or annulled at the will of the several independent States or sovereignties, can be scarcely regarded as belonging to the present generation." The several independent States control the general government!! This is anarchy itself. Let us see how it will

* The language of one of the papers in New-York, favourable to Mr. Crawford; and formerly the language of a leading federalist.

operate. Congress declare war, and appoint officers to recruit soldiers for the defence of the country. Can any State in the Union prevent enlistments, by denouncing penalties against the recruiting officers? Suppose the attempt to be made, as it actually was in one of the federal States, during the last war.— The officer of the government is arrested and committed to prison, to be tried under a State law, "for recruiting soldiers for the service of the United States," to prosecute "an unrighteous war." Would the general government be subject to this "control of an independent sovereignty?" Would not the federal Courts have a clear constitutional right to pronounce the State law unconstitutional, and discharge the prisoner? It is, indeed, almost a self-evident proposition, that the "State sovereignties" cannot, "in any degree," control the general government, in the exercise of its powers. The heresies of this writer are all resolvable into the fundamental error, of supposing our government to be a confederacy of independent sovereignties. That this is not the fact, is too clear to admit of a question, if we avoid using terms, "without any accurate ideas annexed to them." The principal characteristic of a confederacy, is that the resolves of the common council are addressed, as *recommendations* to the confederated States in their sovereign capacities, which they may or may not obey. Now the decrees or acts of our government operate as *laws*, and are enforced by the judicial tribunals, without the consent, and it may happen in direct opposition to the will of a State government. From this single discriminating feature, it is apparent that a confederacy is *no government at all*. They are things essentially different; as much so as a treaty and a law.

A great deal is said by this writer, to prove that it is anti-republican to call our government *national*. It would follow from this, that it is anti-republican to call the United States a *nation*! Without condescending to a verbal controversy, our government is a *national* government. In its organization, the popular branch of Congress is strictly national, being elected by the *people* of each State, in proportion to their numbers. The Senate is federal in its organization, and is the only federal feature in the government. The Chief Magistracy is almost entirely national. But in its *operation*, the leading characteristic of our government is national in the fullest acceptance of the term; for it operates directly upon *the people*. Though, therefore, it is clearly a limited government, (as indeed all republican governments are, and those of the States eminently so,) yet as far as its powers extend, or in other words, as far as it is a *government*, it is a *national government*. In fact, almost all the positions of the author under consideration, are either verbal criticisms, or downright political heresies. They may be the doctrines of a few Virginia politicians, but I trust they never will be the doctrines of South-Carolina.



SPEECH.

MR. CHAIRMAN :

In the course of this discussion, gentlemen have indulged their imaginations in sketching out the most extravagant and fanciful pictures of the abuses which would result from the exercise of the power of making Internal Improvements by Congress; and, by this sort of inverted reasoning, have attempted to prove that the power does not constitutionally exist in Congress. Nothing can more clearly show the difficulties of the position they have assumed under the Constitution, than the fact that they are compelled to resort to arguments of this description, in order to sustain it; for I think it can be satisfactorily shown, that it is against the whole theory of our political system, to suppose that the power in question is more liable to be abused by the general government, than similar powers are liable to be abused by the State governments. With the purpose, therefore, of reclaiming the attention of the committee from the frightful usurpations gratuitously ascribed to this government, and of directing it to the sober and dispassionate consideration of the principles really involved in the subject under discussion, I propose to offer a few preliminary remarks, indicating the real securities provided in the Constitution for the liberty of the citizen, and the harmonious operation of our complicated system of government.

Almost every gentleman who has addressed the committee in opposition to the proposed measure, has laid down some general proposition, classifying the powers which have been conferred, respectively, to the general government and to the State governments; but it seems to me they have introduced into their several propositions, terms much more vague and uncertain than the question they are intended to elucidate. To lay it down as a general rule, that all *municipal* powers, not expressly granted

to the general government, belong to the State governments, either renders nugatory most of the powers of this government, or it does not advance us a single step towards the decision of the question we are discussing. I shall endeavor to bring the mind of the committee to a direct perception of the *things* upon which it is to decide, entirely unembarrassed by terms of doubtful signification.

It will be perceived, from a casual glance at the provisions of the Constitution, that two great safeguards are provided for restraining and arresting the usurpations of this government, and preserving the liberties of the people. One of these results from *restrictions* upon power ; the other from the *responsibility* of those who exercise power, to the people upon whom it operates. Those particular acts of government which are essentially wrong, and which no emergency can justify, are absolutely prohibited ; and upon those powers which rulers are naturally prone to abuse, because connected with their own defence, and liable to the influence of their passions, positive restrictions are imposed, restraining their exercise to certain specified emergencies. Upon these principles, Congress is prohibited from passing any law respecting the establishment of religion, or tending to abridge the freedom of conscience, of speech, or of the press. Upon the same principles, Congress is prohibited from making either honors or crimes hereditary, by creating titles of nobility, or passing bills of attainder ; and, also, from suspending the privileges of the writ of *Habeas Corpus*, except under circumstances, producing a sort of State necessity for that dangerous exercise of sovereign power. And it is worthy of remark, that the State governments also are subjected to precisely the same positive restrictions, in all cases where the powers under consideration could be fairly presumed to belong to them, under the general distribution. From this we are brought to the obvious conclusion, that the convention did not regard the State governments, as sentinels upon the watch-towers of freedom, or in any respect more worthy of confidence than the general government. One class of public agents, as they are not exempted from the passions, so they have no claim to be exempted from the restrictions belonging to another class, when both stand in the same relation to the people. It was wise and provident, therefore, to restrain both from the exercise of powers, which are so peculiarly dangerous in their nature. And here, sir, an answer

at once suggests itself to a remark, made during this debate, importing that the same principles of construction which justify the exercise of the power to make Internal Improvements by this government, go equally to justify the celebrated Sedition Law. The unconstitutionality of that law resulted from the express provision, "that Congress shall pass no law abridging the freedom of speech or of the Press." It was a violation of an express restriction upon the power of Congress; and until gentlemen point out a similar restriction upon the power of improving the country and developing its resources, they must abandon the argument, deduced from this analogy, as indefensible. The only effect of introducing such an argument into this discussion, is to awaken associations which do not belong to the subject.

Having thus pointed out the class of powers which is the proper subject of positive restriction, let us inquire what is the principle which governs the distribution of that residuary mass of useful and necessary powers, which constitute the sovereignty of the nation, and which every government, or system of governments worthy of the name, must exercise by some of its functionaries. In determining whether a given subject of legislation should belong to Congress or to the State Legislatures, the inquiry with the convention was not, which of these will be most likely to abuse the trust, but to which of them does it appropriately belong, in reference both to their organization and the great objects they were designed to accomplish? It was not a question of civil liberty, but of political harmony. In this view of the subject, I would lay it down as a general rule, that all those subjects of legislation which concern the general interests of the whole Union, which have a plain and obvious relation to the powers expressly granted, and which, a single State government cannot regulate, naturally belong to the General Government, unless it can be shewn, that the regulation of those subjects by Congress impairs the power of the State Legislatures to regulate their own internal police. In laying down this rule, I have been governed by the living principle which pervades and sustains the whole fabric of our complex system of government, *political responsibility*. This should, in all cases, be co-extensive with political power; and wherever the power of a government operates upon the interests of those to whom it is not responsible, there is precisely so much despotism. This idea cannot be better illus-

trated, than by the very subject under consideration. Roads and canals for the transportation of the mail, and for bringing into efficient operation the military power of the nation, are intimately connected with the prosperity, the defence, and the very existence of the Union. The whole people of the United States are, therefore, interested in the execution of works of this description. Let us suppose, then, that the general government commences a road or a canal for these general and essential purposes, through the State of Delaware, and that the government of that State should interrupt its progress. What would be the political anomaly presented? The government of Delaware, emanating from, and responsible to 40,000 people only, would be seen controlling the interests of the whole people of the United States, amounting to nearly 10,000,000? The people of the United States have no representative in the Legislature of Delaware, and, consequently, no means of controlling its operations upon their interests but by the supremacy of the laws of this government. In the case supposed, therefore, the great interests of this republic would be subjected to the action of a power having every characteristic of despotism. It is true, it would be a petty despotism, but it would not, on that account, be less despotic in principle. If it would not directly endanger the liberties of the country, it would weaken its energies and embarrass the essential operations of the government. For, Sir, show me, in any of the subdivisions of this comprehensive scheme of representative governments, a power operating beyond its responsibility, and I will show you a power unknown to the system—a comet, let loose from the power of gravitation, which must inevitably destroy the planetary harmony by which that system is so admirably characterized.

Let us now reverse this picture, and contemplate the operations of the general government, upon the States, in fulfilling the great ends of its creation. What are the principles which lead gentlemen to presume that the rights of the States will be infringed? Is Congress, in its legislative action upon the States, like the State Legislatures in their action upon the United States, irresponsible to those upon whom its power operates? Are not the people of the States represented on this floor, the governments of the States in a co-ordinate branch of the National Legislature, and both, in the chief executive magistracy? And when the concurrence of all these, or of two-thirds of both branches of Congress

is necessary to the passage of any law affecting the rights of the people, or the powers of the States, have we not all the safeguards which human wisdom can provide against the abusive exercise of power? Sir, in the vast field of legislation over which our jurisdiction extends, we cannot touch with rudeness a single chord of the body politic whose vibration will not reach every department of this government. I confidently assert, that this government is as popular in its organization, and as safe a depository of power, as a state government.

With the aid of these general principles, I shall proceed to enquire what powers have been actually delegated to Congress, in reference to the subjects embraced in the bill on your table.

I am clearly of the opinion that, under the general power to raise and appropriate money to "promote the common defence and general welfare," Congress has the power to appropriate money for making roads and canals, with the consent of the States in which these works may be executed, without reference to any of the other specific grants of power. As the honorable Speaker has distinctly disclaimed all power over Internal Improvements derived from this source, I must beg the particular attention of the committee while I attempt to explain my views on the subject, and remove the misapprehensions which I believe to exist, as to the *extent* of the power which is claimed under this clause. When I lay it down, that the power of raising and appropriating revenue, like all the other sovereign powers of this government, is unlimited, unless where expressly restricted, I beg gentlemen not to be alarmed at the proposition, for I will give it such an explanation as will, I think, render it perfectly harmless. The powers to declare war, and to raise and support armies, are certainly as dangerous as any vested in this government, and yet, it will not be pretended that they are subject to any other limitation than what will be found in the wisdom and discretion of Congress. We have the same power to raise an army of 100,000 men in time of peace, when we have no occasion for their services, that we have to raise a single regiment in the greatest emergency. And tho' every one will agree, that such a freak of power would be wanton and wicked in the extreme, no one, I presume, would venture to pronounce it unconstitutional. In like manner, I maintain that we have as clear a *constitutional* power to raise 100,000,000 of revenue, without any reference to the other express grants of power,

that we have to raise a single million for the direct purpose of carrying these grants into effect. The fallacy of the arguments of gentlemen on this subject consists in supposing that the Constitution leaves nothing to the discretion of Congress; when, in fact, to construe the Constitution as you will, our principal security must depend upon that discretion. In determining what *sovereign* powers belong to Congress, no discretion, I admit, is given to us. The Constitution is our inflexible landmark. But, in determining in what manner, under what circumstances, and for what purpose these powers shall be exerted, we have nothing but a sound discretion to direct us. That Congress has power "to lay and collect taxes," we ascertain from the Constitution; but it would be as vain to look into the Constitution for an enumeration of the objects to which the revenue shall be appropriated, as to look into that instrument for the causes which would justify a declaration of war, or for the objects to be accomplished by raising armies or regulating commerce. By a strange misconception, in which the honorable Speaker seems to have participated, the power of appropriating money, in the extent to which I carry it, is supposed to involve a sweeping demolition of all the limitations of the Constitution, rendering this a government of unlimited powers. Sir, I expressly disclaim these consequences. I deny that the power of raising and appropriating money "draws after it" (to use the language of the Speaker) *any power at all*. My position is, that Congress has power to raise and appropriate money to carry into effect the other powers expressly granted, and also to promote "the general welfare," so far as it can be promoted by money *merely*. As a *power*, it ends in itself. When the money is raised and appropriated, sovereignty ceases; and whatever else is effected must be done by the mere agency of money, in the use of which the government is precisely upon the footing of an individual. If any *sovereign* power, besides that of appropriating money, is necessary to accomplish the object, that other power must be derived from some of the other grants of the Constitution; and if it is not found there, it does not exist at all.

That the power of appropriating money is not confined to the execution of the other enumerated powers, is as clear, from the terms in which it is conveyed, as from the nature of the power itself. Congress is authorized to "lay and collect taxes" "to provide for the common defence and general welfare." Now it

would be doing great injustice to the critical skill of the convention to suppose that the significant terms "common defence and general welfare," were introduced for no purpose; and it would be doing equal injustice to their wisdom to suppose, that the terms in question were intended to enlarge the powers of the general government. It seems clear to me, that they were intended neither to enlarge nor diminish the *powers* of Congress, but merely to define and limit the objects to which this particular power should be applied. And I am much indebted to the candor of my honorable friend from Virginia, who sits near me, (Mr. Archer,) for the admission, that these words were intended to limit a power, which would have been illimitable without them. I am perfectly satisfied of the correctness of this view, and, while it gives me great pleasure to concur with my friend in the principle, I am compelled to say, that it brings my mind to a conclusion precisely the reverse of that which he deduces from it. If the power under consideration would have had no limit without the words "common defence and general welfare," it results of necessity, that we must look to those words only for the limitation. What, then, is it? Congress shall raise and appropriate money, with no other limitation, as to the objects which money alone can effect, but that they must relate to the "common defence and general welfare," and not to any local or State purposes.

Indeed, Sir, it may be fairly argued, that there would have been no necessity for an express delegation of a power to raise and appropriate money, if it can be applied only to the other granted powers: for, it can scarcely be doubted, that every one of these would carry with it, as an incident, the power of appropriating the money necessary for its execution. That can hardly be a just construction, which would thus convert the leading clause of the Constitution into mere surplusage.

The honorable Speaker seems to be alarmed at the idea of a discretionary power in Congress to appropriate money to "promote the general welfare," and has reminded us of the saying of a military chieftain, who certainly understood the elements of human power, as well as any man who ever wielded them. "Give me money, (said that celebrated man,) and I will obtain bayonets;" and conversely, "give me bayonets, and I will get money?" Now, if the Hon. Speaker had examined the bearing of this military maxim, with the sagacity which usually characterizes the

operations of his mind, I think he would have found in it an answer to his own argument, and a perfect relief from all his apprehensions. If the combined powers of money and bayonets, of the purse and the sword, are so fearful, I ask if they do not exist, without limitation, in Congress, by the express grants of the Constitution? That the power of appropriating money is unlimited in reference to all the elements of military power, is a proposition which I am sure will not be questioned. And I am at a loss to conceive how the dangers of the bayonet can be increased by the power of appropriating money to other objects. It is not, sir, the power of appropriating money, but the other powers to which it gives motion, that can be regarded as dangerous. Against the wasteful expenditure of the public money, the Constitution furnishes an ample security in the provision, that no money shall be drawn from the Treasury but by the consent of the people, through their immediate representatives. It may at least be said, that if this is not a sufficient security, there can be none; for the field of expenditure is wide enough for all the purposes of extravagance, under any construction which can be given to the Constitution.

Sir, if the view I have taken of the money power of this government be not correct, every administration, and almost every Congress, have been guilty of habitual violations of the Constitution. In the administration of Gen. Washington, an appropriation was made to relieve the suffering people of St. Domingo, who had sought a refuge on our hospitable shores; and, in that of Mr. Madison, a similar appropriation was made for the relief of the wretched inhabitants of Carraccas, overwhelmed by the disasters of an earthquake. Neither of these appropriations have the remotest assignable relation to any one of the other enumerated powers, and I challenge any gentleman to justify them under any other clause of the Constitution but that which confers the revenue power. In fact, Sir, we cannot perform those every day acts, which are essential to the existence, and involved in the very notion of government, if our power to appropriate money is regarded as merely subservient to the other grants of power. The monuments we have erected to illustrate the gratitude of the nation and the memory of her distinguished citizens; the works of genius and patriotism by which we have decorated the halls of this Capitol, and the very supplications which are every morning sent up to heaven, invoking its smiles upon our delib-

erations for the general welfare, are so many emblems of usurpation, if the arguments of gentlemen are correct on this point. We cannot look around us without beholding something to remind us that we have violated the Constitution.

But, Sir, there are much stronger precedents than any I have yet stated, on the point under consideration. Under the administration of Mr. Jefferson, one of the most distinguished advocates of limited construction, Congress appropriated money for the purchase of a territory sufficiently large for an empire. It will not be pretended that this was authorized by any of the specific grants of power to Congress, if not from that to appropriate money. Whence, then, is the power derived? If the purchase was unconstitutional, an honorable gentleman from Louisiana, whom I trust we shall hear upon this question, has no right to raise his voice in this assembly. If it was constitutional, as I believe it was, it is in vain to speak of any security against the waste of the public treasure, derived from limiting the objects of expenditure. For the same principle which authorized the purchase of Louisiana, would equally authorize that of Cuba, and the Islands in the Pacific ocean; and if nature did interpose an insuperable barrier, we might go with the Hon. Speaker to the planets above us, and there embark in sovereign speculation. But it will be said that the purchase of Louisiana was made by virtue of the executive power to make treaties. Granted. And what follows? That there is an unlimited power in the executive government, not only to authorize Congress to appropriate money, but to impose upon it all the obligation which can grow out of the treaty, to make the appropriation. Sir, this puts an end to the argument which limits the power of appropriating money to the other *specific* grants to Congress, embraced in the enumeration of its powers. And, I must say, it would be an extraordinary supposition, that the framers of the Constitution intended to limit, by the most jealous restrictions, the power of the popular branch of the government, in selecting the objects calculated to promote the general welfare, and at the same time, to vest in the executive government the most unlimited discretion on the same subject. But says the Hon. Speaker, if we can derive the right of making a road through a State, from the consent of the State, we can derive from it sovereign powers not conferred by the Constitution. If it were contended that the power of *appropriat-*

ing money could be derived from the consent of a State, this objection would, I admit, be unanswerable. The objection, however, is founded upon a misconception. It supposes every act which a government performs to be, of course, an act of sovereignty. But nothing can be more erroneous than such a supposition. The making of a road is not an act of sovereignty.—The Legislature of Virginia, for example, might grant *me* the privilege of making a road through the State; but, if they were to do so, I should certainly never dream that I was clothed with any of the attributes of sovereignty. In fact, to deny this general government a privilege belonging to the humblest citizen within its allegiance, would be to render it an alien enemy in the midst of the people whose destinies are committed to its charge.

But, Mr. Chairman, though I have deemed it important to shew that this government has the power to execute internal improvements with the consent of the States in which they may be made, I confess I deem it of much more importance to establish its absolute and sovereign power to make such roads and canals, as are requisite and proper for giving a salutary efficiency to the great powers expressly conferred upon it, “in order to form a more perfect union,” and perpetuate the blessings of liberty. I shall proceed, therefore, to examine briefly the several clauses under which the power in question is claimed, assuring the committee that I will not trespass upon their indulgence by the repetition of arguments which have been already urged, with an ability to which I have no pretensions. In expounding the meaning and import of the grant “to establish post roads,” the gentlemen opposed to this measure have largely availed themselves of those legal subtleties and philological refinements which they have themselves proscribed as unbecoming the nature and gravity of this discussion. I, Sir, am decidedly opposed to the introduction of artificial or technical rules into the interpretation of such an instrument as the Constitution of the United States; and I think the friends of this bill would act very unwisely in resting the question of power upon the grammatical import of the term “establish.” I agree with my honorable friend from Virginia, (Mr. Archer,) that “to establish” most generally means only to communicate the attributes of permanence and stability; and that, in relation to physical objects, it never means “to make” *merely*. But, it will be apparent to the gentleman, on a moment’s reflection,

tion, that it is often used in reference even to physical objects, to convey the two-fold idea of "*creating AND making permanent.*" The meaning of the word must depend, in every case, upon the subject matter to which it relates. An authority, for instance, to establish a post road where a road already exists, would not, in terms, convey a right to make the road; because the language, in its more comprehensive signification, would have nothing upon which to operate. But, an authority to establish a post road through a wilderness would most certainly be interpreted to convey, by the mere force of the terms, the right to make the road, as well as to communicate to it certain legal attributes.

But, sir, in giving a construction to a power of this description, we must ascend to much higher principles than either law books or lexicons can furnish. We must look to the great objects which it was designed to accomplish, and give it such an interpretation as will most effectually promote them. What, then, are those objects? The power to establish post offices and post roads, simple as it may appear, is one of the most important which belongs to Congress. Regarding the vast extent of our country, and the principles of our government, it is obvious to remark that it is of vital consequence to the liberties of the republic. It is the representative principle that imparts to this government the character of freedom. And what can be more essential to the efficient operation of this principle than the rapid and regular transmission of political intelligence from the seat of legislation to the remotest extremes of the Union? Even a free press, one of the *essential* elements of a representative system, of such unprecedented extent as ours, would be comparatively useless without an active and comprehensive system of mail communication. A constant interchange of intelligence and sentiment between the government and the people is essential to the character of both. It is the diffusion of intelligence from the government to the people, and the re-action of popular sentiment upon the government, that renders the citizen really a freeman, and the representative really a responsible agent. I believe, sincerely, that, if the communication of this intelligence, were for a length of time cut off from any distant portion of this Union, it would be deprived of the principle of political life, as certainly as a limb of the animal system would perish in which the blood had ceased to circulate. And is it not

obvious that there will soon be states in this great confederacy, so remote from the centre, that, without the most improved means of communication, Congress may meet and adjourn before a single interchange of sentiment can take place between the representative and his constituents? Sir, I am sure no member of the committee can be insensible to the importance of these considerations. And, in ascertaining the extent of a power designed for such high purposes, shall we contract our views to a mere philological disquisition upon the import of the word "establish?" Admitting that this word must receive the restricted meaning ascribed to it by some gentlemen, I contend, upon a higher principle than any yet assumed, that the power to establish post offices and post roads *involves* as an *incident* the right to make them. And I confess I have been not a little surprized that, while all the other grants in the constitution are admitted to involve incidental powers, this should be regarded as an exception. Without this incidental power, the principal power might be rendered nugatory, either by the caprice of a state government, or by the obstacles of nature. To contend, therefore, that we cannot make post roads, because "to establish" does not mean "to make," is not more reasonable than it would be to maintain that this government cannot make war, because "to declare" does not mean "to make."

I believe every gentleman who has opposed, in this debate, the power of Congress to make post roads, has distinctly admitted its right to exercise a conservative power over such existing roads as it may establish. This indeed, is clearly embraced in the idea of giving firmness and stability, which enters into their definition of the word 'establish.' Now, sir, if this government has the power to maintain and keep up a road, against the consent of a state, and to prevent, by the highest sanctions, any obstructions, even if attempted under the authority of a state, I would be thankful to any gentleman who would present an intelligible idea of the additional act of *sovereignty* exerted in making a road. As relates to the question of sovereignty, the power to maintain a road, against the will of a state, is precisely the same as the power to make it—with this difference in point of fact, that the latter exercise of power would be generally more beneficial to the states.

But, I would ask the gentlemen on the opposite side of this question, whether this government has not a right, and has not

invariably exercised it when necessary, to erect buildings for the use of the post office establishment? They have not only the right to purchase the soil for the purpose of erecting a post office, without the consent of the state, but they have a right to *take* it, without the consent of the owner, and with no other restriction than that prescribed in the Constitution, that "just compensation shall be made." Now, if the power to establish a post *office*, involves the incidental right to make it, the power to establish a post *road*, involves the right to make that also. It would be an utter perversion of every just principle of construction, to ascribe to the same word two different meanings, as applied to two subjects standing in precisely the same relation to it, and in the same sentence.

I will now proceed, Mr. Chairman, to consider those clauses of the Constitution, which confer upon this Government the power to declare and prosecute war. The obvious, and, indeed, the express intention of these clauses, was, to clothe this government with the whole military power of the nation; to enable it to provide for "the common defence and general welfare" of the Republic.

To suppose that the framers of the Constitution intended to confer upon Congress the power to declare war, and to deny to it the means of giving to that power the most efficient operation, is, in effect, to suppose they intended to impose a duty upon Congress, and withhold the means of performing it. But, gentlemen deny that roads and canals can be fairly regarded as the means of prosecuting war. Sir, I am perfectly willing to rest this question upon the rule laid down by the honorable gentleman from Virginia, (Mr. P. P. Barbour,) who opened the debate in opposition to the bill. He says, that no act of the government can be justified, as the means of carrying into effect any power of the government, which has not a "direct and appropriate relation" to the ends which that power was intended to accomplish. Now, if it cannot be satisfactorily shewn that roads and canals have a "direct and appropriate relation" to the military defence of the country, I will surrender the whole argument. Sir, what is the situation of this country, in reference to its capacity for defence? There is not a nation on earth abounding so much in the elements of strength, that is so much weakened by their diffusion. And every one knows, that not

only the increased energy, but the very existence of military power, depends upon the concentration of these elements. If, by a judicious system of roads and canals, we double the facilities for military movements, and the rapidity with which the forces of the country may be brought to bear upon an invading force, we increase, in nearly the same degree, our defensive power. If, by the same means, we enable the government to transport arms, munitions, troops, and subsistence, for one fourth of the price it would now cost, we quadruple the power of the country, so far as money is to be regarded as an element of military power. These hypothetical cases, so far from being extravagant, are short of the reality. If this were not apparent, from a mere inspection of the map of the country, it could not fail to be deeply impressed upon us, by the disastrous experience of the recent war with Great Britain. We cannot have forgotten the waste of life and treasure, which we sustained on the Northwestern frontier, principally for the want of facilities of transportation. The extraordinary expenses of a single campaign, (in which flour cost the government upwards of one hundred dollars a barrel,) arising from this deficiency, would defray the expense of the most important of the roads and canals, contemplated for military purposes. Can it, then, be doubted, that roads and canals have a direct and appropriate relation to the military defence of the country? Let us suppose sir, that any one, or a combination, of the great powers of the world, should wage a war of extermination against this Republic. I will not undertake to say, how probable such an event may be, or how remote; but, in discussing the *constitutional power* of this government to defend the country, we are bound to regard all those combinations and vicissitudes of human affairs, of which history furnishes so many examples. Upon what, then, would our safety, and even our existence, depend, if those combinations and vicissitudes should cover our coasts with the hosts of an invader, aiming to extinguish, in blood, the light of our example? Sir, the *whole* power of the country would be called in requisition; and I need not say how much of that power, both as it regards men and subsistence, lies beyond the mountains. In an emergency, such as I have supposed, at least a fourth part of the military energies of the Republic would be almost entirely unavailing, for all the purposes of its defence and

preservation, without the improvements here contemplated. Indeed the power of this government to make roads and canals for military purposes, is so obvious, that my friend from Virginia, (Mr. Archer,) has, with his characteristic candor, distinctly admitted it; but, he contends, that the roads and canals contemplated in this bill, are not of that description. Now, I perfectly agree with him, that, if, under the *pretext* of making military roads and canals, Congress were to assume the power of making them for purposes not military, it would be an act of usurpation. The powers of this government must be honestly exercised; and, although I cannot perceive any principle upon which the judiciary could pronounce any road unconstitutional, (if I may be permitted so to characterize a *road*) yet I admit, that the conscience of every member is a tribunal, before which he must be able to justify his vote, in each particular exercise of the power in question.

An honorable gentleman from Virginia, (Mr. Rives,) who favoured us with an argument of great ingenuity, and to which I listened with unusual pleasure, has told us, that if we assimilate a military road to a fortification, we may, with a little more license of the imagination, say, that *bread*, and even the hearts of our citizens, are fortifications. I trust, sir, there is more of fact than of fancy in this. And, I would ask the honorable gentleman, if he means to deny the power of this government to provide bread for the sustenance of its armies, or to call into requisition the hearts and the blood of its citizens, for their common defence.

Driven from the ground of precise constitutional investigation, gentlemen have conjured up a phantom which they denominate consolidation; and which I shall now endeavor to exorcise. And I should be glad if some of them would favour us with a precise idea of what they mean by consolidation. If they mean by it a firm and indissoluble union of the States, I for one, am decidedly in favor of it; but, if they mean by it the annihilation of the State governments, or the destruction of a single power that appropriately belongs to them, there is no man who disapproves of it more, and, I will add, who fears it less than I do.

If gentlemen will attentively examine the organization and structure of our Government, they will perceive that a consolidation, in this sense of the term, cannot possibly take place.—What, Sir? Annihilate the State governments! when one of the

branches of the national legislature is absolutely dependent upon them, and the other emanates from the very same people who create those governments! Usurp the powers of the State governments! when this government could not exercise them if it would, and would not exercise them if it could! Gentlemen have deluded themselves by the vague generalities in which they have indulged, and have triumphantly asked, what may this government not do, if it has power to make internal improvements? Sir, I would ask, in reply, what may this government not do, under any construction which they would themselves give to the constitution? For, I must be permitted to say, that if the liberties of the republic are in any danger from the *powers* of this government, it is from those *expressly* granted. It has, in the power of war and peace, the absolute and unlimited command of every thing that can fascinate human ambition, or impose upon the imaginations of mankind. If any thing can draw it from the appropriate sphere of its duty, it is the seductive charm of military glory. But this is not all. In the power to suppress insurrections, it may bring the military force of the nation to operate, under mere colorable pretexts, directly upon the lives and liberties of the people. And, if these powers are harmless, I am at a loss to perceive what there is to alarm us, in those that remain. If my views of our system of government are not entirely erroneous, our liberties do not depend so much upon the *quantity* as upon the *kind* of power vested in our respective public functionaries—nor upon either of these, so much as upon the efficient responsibility of those functionaries, to the people. Destroy this tie, and any portion of power, however small, will soon be sufficient for all the purposes of despotism. Subject to its control, all the ordinary powers of government, which constitute sovereignty, are both safe and salutary. Indeed, I am satisfied that the proposition, that power is essential to liberty, will be found to be philosophically true, upon the fullest examination. You cannot annihilate sovereign power with impunity. If it cannot operate through the government, it will operate through other channels, and the government will sink under its own debility. Most of the free governments, both of ancient and modern times, have fallen a sacrifice to the mistaken idea, that liberty derives its security, not from the responsibility of power, but from its limitations. But, I trust I shall not be understood, while maintaining

the complete sovereignty of this government, in relation to the great objects of its creation, to underrate the importance of the State governments, or to claim for the general government the right of interfering, in any respect, with their power and jurisdiction. What are the subjects of their power and jurisdiction? The property, the life, the person, and the character, of the citizen, and the general improvement of the State. I would not extend the power of this government so as to impair that of the State governments, in relation to any of these subjects, or any other embraced in the internal police of the States. What, sir, will be the effect of the very measure we are discussing, in this respect? Can internal improvements of a national kind, by any possibility, impair the power of the State through which they may pass, to make similar improvements? Their concurrent power would, on the contrary, be capable of producing much greater results, and nothing but a spirit of reckless caprice which cannot be imputed to the State governments, could induce them to resist the incidental co-operation of the general government, in works so essentially beneficial to themselves. Sir, I am utterly incapable of perceiving a solitary power of a State government, which would not exist in as ample a manner during the progress of a national work within its jurisdiction, as if such work had never been even projected. But, an honorable gentleman from Virginia, (Mr. Stevenson,) has informed the committee, that the people are alarmed on this subject, and has warned us of the danger of alienating their confidence from this government. I trust, sir, I duly estimate the high character of Virginia, for intelligence and patriotism, but the gentleman must excuse me for saying that I cannot regard Virginia as the barometer of the national feeling on this question. And, when we advert to the fact, that a decided majority of Congress has for many years been perseveringly attached to this system of improvement, it would seem to be a matter of some difficulty for the gentleman to make out the evidence of the dissatisfaction and alarm of which he speaks. Indeed, if I may be allowed to express an opinion on the subject, I doubt whether the people even of Virginia, have any of those apprehensions which some of their representatives entertain on this subject. The course of argument, which denies to this government the power to make internal improvements, is too refined and metaphysical for the

comprehension of the people, and as far as my observation has extended, it is almost entirely confined to politicians. Tell a plain man that the government has not this power, and you strike him with astonishment. He will be utterly at a loss to understand upon what principle a government, having so much power to do evil, should be deprived of the power of doing good. And, after all, common sense is the safest guide in the construction of this Constitution. It originated with the people, was designed for the people, and we shall best fulfil its ends by expounding its provisions and administering its powers, upon those broad and obvious principles which the people can clearly comprehend. I have reason to apprehend, Mr. Chairman, that the attention of the committee has been so exclusively directed to the abstract question of power, that they have lost sight of many of the considerations which recommend the adoption of the measures under consideration, on the score of expediency. With the indulgence of the committee, I will offer a few remarks on this latter view of the subject.

A gentleman from Virginia, (Mr. Stevenson,) has told us, with a manner of utterance which forbids us to misunderstand his object, that measures of this description will make this a *splendid* Government! I trust, sir, that *words* can have no magical influence on our deliberations on this grave question, and I confess I can collect no distinct or intelligible *idea* from the expression to which I have just alluded. What does the gentleman mean by a splendid Government? Does he mean a Government which takes an enlarged and comprehensive view of the great interests of our common country, and wisely provides means for their development? Does he mean a Government which applies the revenue of the country, not to the gratification of its own ambition, but to the promotion of the happiness, the wealth, and the security of the people? If such be his meaning, I hope this will never cease to be a splendid Government. If such be not his meaning, the expression can have no application to the measure with which it has been associated. No gentleman has ventured to question the importance of internal improvements, as a means of promoting the wealth and prosperity of the country. This has long since ceased to be a question, in every civilized nation in the world. But, it is contended that this Government is not capable of executing

works of this description, with the same judgment, skill, and economy, as the State Governments. Sir, the roads and canals contemplated by this bill, will be of an extent which will render it impossible for the State Governments to execute them. If, therefore, they are not made by this Government, they will not be made at all. But gentlemen are certainly mistaken in supposing that internal improvements, of any kind, can be more skillfully and cheaply executed by the State Governments, than by this Government. A State Government, I admit, is more capable of determining what improvements will promote the peculiar interests of the State, for the same reason that this Government is more capable of determining what improvements will promote "the general welfare" of the whole Union. But, as relates to their comparative competency for skillful execution, it would be extraordinary if the General Government had not the advantage. It has already in its service a corps of scientific Engineers, and is possessed of superior resources and opportunities for commanding the first talents of the country, or of the world, if necessary. It can cast its eye over the whole Union, and combine and concentrate the results of the experience of all the States. In a word, it has all the advantages which more abundant resources, superior intelligence, and a more comprehensive view of the improvements already made in this and other countries, can confer upon it. Very few of the States have much practical knowledge on the subject. It is within my own knowledge that, in that which I have the honor in part to represent, vast sums of money have been expended, with very little skill or economy. It is not to be expected, indeed, that *any* Government can carry on undertakings of this kind, with the minute economy which is practicable in those of a private nature, in which individual interest holds a constant check upon extravagance. But, in this respect, Government is *Government*. All are equally liable to imposition, and if the objection I am considering were substantial, it would arrest the progress of internal improvements altogether. The fallacy of this argument, as well as of most of those urged by the gentleman from Virginia, consists in the supposed exemption of the State Governments from the frailties and imperfections which are incident to all Governments.

But, Mr. Chairman, we are urged to the adoption of this system of internal improvements, by considerations growing out

of the peculiar character of our government, infinitely more important than any which relate merely to the economy of national wealth. There is not, upon the face of the earth, a nation so deeply and vitally interested in the improvement of the facilities of internal communication, as the United States: for, whatever differences of opinion may prevail upon other subjects, all of us must agree that our hopes of reaching the high and happy destinies for which Providence seems to have formed this country and this government, absolutely depend upon the preservation of the Union. And what are the sources from which danger is to be apprehended in this particular? Dissimilarity of interests, suspension of social and commercial intercourse, and a consequent alienation of feeling among the great geographical subdivisions of the country. Intercourse is the only effectual preventive. This, sir, is not a matter of mere speculation. The most salutary effects have resulted from the intercourse between the Northern and Southern States; an intercourse founded upon commercial and other accidental relations, and facilitated by the channels provided by nature. So palpable has been the effect of this intercourse in correcting mutual prejudices, that it cannot have escaped the most careless observer. Without this, it is impossible to say what would have been the effect of our political divisions, in a crisis which has happily passed away, or what would now have been the state of feeling existing between the Northern and Southern portions of this Union. But, united as they are by the strong ties of interest, consecrated by social kindness and mutual good offices, these portions of the Union can never separate.

But, sir, there is, in another direction, danger which cannot be disguised. No statesman, of enlarged views and patriotic feelings, can look with indifference upon the situation of the Western country, and the relation it bears to this Union. It is an old maxim that rivers unite nations, but mountains separate them. And why is it so? Because rivers facilitate intercourse and mountains prevent it. I trust I shall not be misunderstood in what I say of the Western States, on this delicate subject. There is no portion of this Union (I make no exception) more justly distinguished for lofty and patriotic feelings than the western states. Nor is there any portion of the Union, at this time, more ardent and devoted in its attachment to the

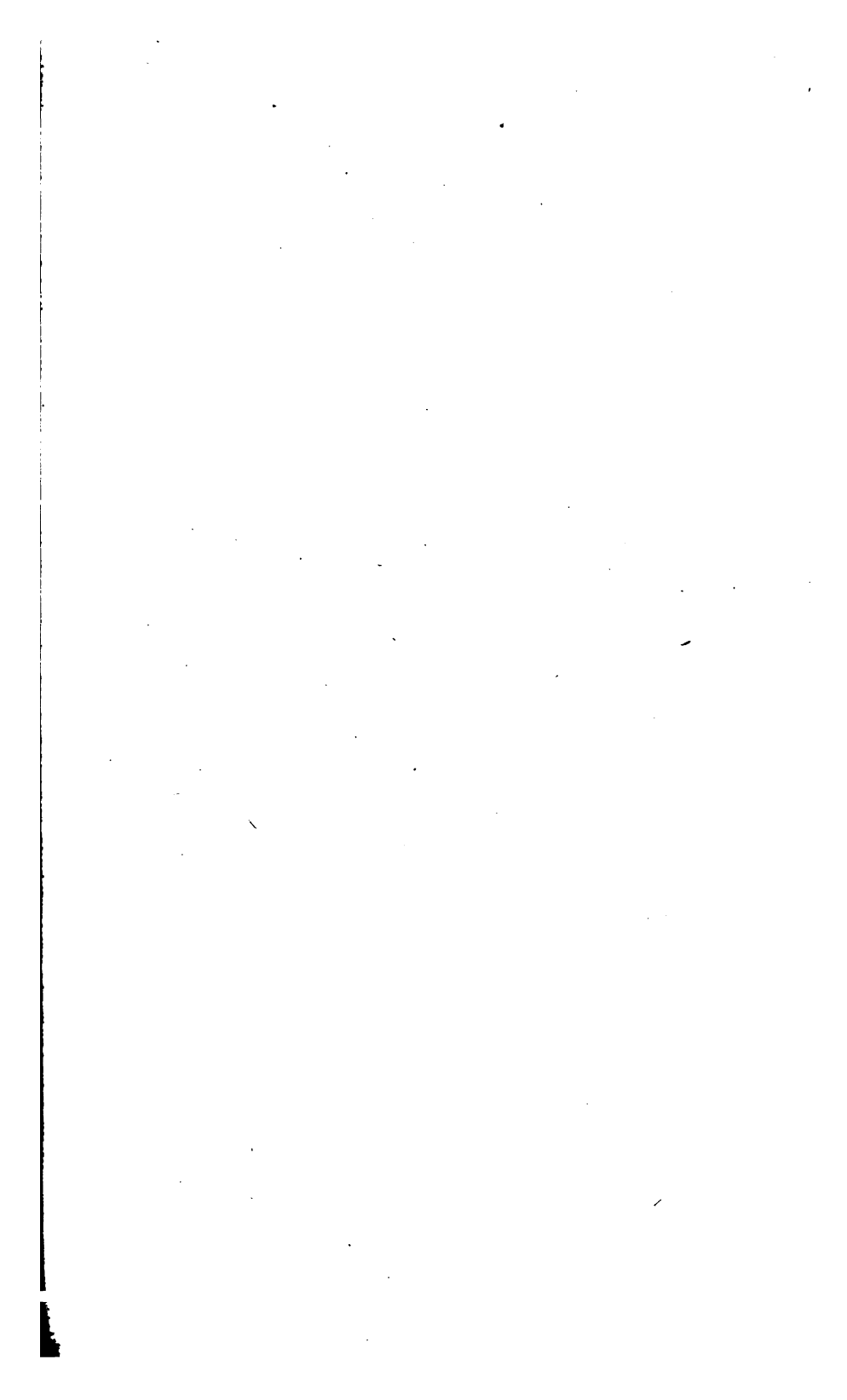
general government. But what produces this attachment? The ties of consanguinity, and the power of youthful associations. Few of the citizens, who constitute the governing power in those states, can look around them for the tombs of their fathers. These depositories of the dead, and many living objects of their affectionate remembrance, are, yet awhile, on this side of the mountains. But time is gradually weakening these ties of nature, and, when a few generations more shall have passed away, the bond of affiliation which now unites them to us will be entirely dissolved. With these impressive facts before us, we should be unworthy of the high trust confided to us, if we did not endeavour, by a provident forecast, to substitute new principles of attachment for those which must so soon cease to operate.

Let us, then, provide the substantial ties of commercial interest. It is my deliberate opinion, that if the entire commercial supplies of the Western states should be permanently derived through the port of New Orleans, and no commercial intercourse should subsist between them and the Atlantic states, it would be impossible for all the power of parchment and political organization to hold this Union together for a half a century longer. In this view of the subject, I have often reflected that the difficulties incident to the navigation of the Gulf of Mexico, and of the river Mississippi, were kindly intended by Providence to promote our union and greatness. I rejoice that those difficulties do exist; and, I trust, we shall be wise enough to improve them to our advantage. Let us, then, cut down and level the mountains, not like the Persian tyrant, to subjugate nations, but in order to achieve a more glorious conquest—the subjugation of our own mutual prejudices. Sir, in whatever light we view these improvements, whether in reference to the diffusion of intelligence, the increase of the defensive power of the country, or the perpetuation of the Union, they are as essential to our existence and prosperity as a nation, as the veins which give circulation to the principle of animal life are to the health and vigor of the animal system. There is another view of this subject to which I shall merely call the attention of the committee, having neither time nor strength for its full development. **A**n attentive examination of the philosophy of national character and national greatness will lead us to the conclusion, that the

common efforts and common sacrifices of the whole people, made with a view to some great national object, are absolutely indispensable to the existence of these attributes. Hence, the influence of war in calling into action sentiments of patriotism and nationality, and the tendency of peace to cause these lofty principles of action to degenerate into selfishness and a want of public spirit. Sir, what would this nation be without those military achievements, which are so many monuments of our common exertions? Strike from the record of history the heroic deeds of our ancestors, and the more recent events which illustrate the valor and patriotism of the present generation, and the people of these United States would be reduced to a mere multitude of human beings, animated by no common principle, and united by no common sympathies, destitute of those moral characteristics and sentiments, without which all the physical elements of power and greatness cannot constitute a nation. But, sir, I trust that military achievements are not the only means of giving us national character and national sentiments. Let us substitute moral for military glory; the achievements of national industry, directed by an enlightened policy to the great improvements contemplated by this bill, for achievements involving much more painful sacrifices, and productive of less durable benefits to the country. Let us create, by our common toil and common treasure, some great monuments of the enterprise of the nation, which the people of this Union will contemplate with a common pride and regard as their common property. Sir, it is impossible to estimate the value of these improvements. I will not say they will make this Union perpetual; for the frailty and imperfection of every thing human forbids us to indulge that hope. But I will say, that if we wisely improve our advantages in this respect, human sagacity cannot point out any probable cause which will produce a separation of the states. But if, unhappily, it should ever be our destiny to divide, and if our liberties should perish in the convulsion, let us at least leave, for the admiration of posterity, some memorials that the Republic has not existed in vain.

FINIS.





common efforts and common sacrifices of the whole people, made with a view to some great national object, are absolutely indispensable to the existence of these attributes. Hence, the influence of war in calling into action sentiments of patriotism and nationality, and the tendency of peace to cause these lofty principles of action to degenerate into selfishness and a want of public spirit. Sir, what would this nation be without those military achievements, which are so many monuments of our common exertions? Strike from the record of history the heroic deeds of our ancestors, and the more recent events which illustrate the valor and patriotism of the present generation, and the people of these United States would be reduced to a mere multitude of human beings, animated by no common principle, and united by no common sympathies, destitute of those moral characteristics and sentiments, without which all the physical elements of power and greatness cannot constitute a nation. But, sir, I trust that military achievements are not the only means of giving us national character and national sentiments. Let us substitute moral for military glory; the achievements of national industry, directed by an enlightened policy to the great improvements contemplated by this bill, for achievements involving much more painful sacrifices, and productive of less durable benefits to the country. Let us create, by our common toil and common treasure, some great monuments of the enterprize of the nation, which the people of this Union will contemplate with a common pride and regard as their common property. Sir, it is impossible to estimate the value of these improvements. I will not say they will make this Union perpetual; for the frailty and imperfection of every thing human forbids us to indulge that hope. But I will say, that if we wisely improve our advantages in this respect, human sagacity cannot point out any probable cause which will produce a separation of the states. But if, unhappily, it should ever be our destiny to divide, and if our liberties should perish in the convulsion, let us at least leave, for the admiration of posterity, some memorials that the Republic has not existed in vain.

FINIS.

